

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**STACIE R. CURRAN, o.b.o. A.M.C.,
a minor,
Plaintiff,**

vs.

No. CV 15-520 SMV

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

ORDER

THIS MATTER having come before the Court upon Plaintiff's Unopposed Motion for Attorney Fees Pursuant to EAJA. (Doc. 34). The parties consented to the undersigned's entering final judgment in this case. (Doc. 8). I find that the Motion is well-taken and should be granted. Plaintiff should be awarded \$6,800.00 in attorney fees.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion for Attorney Fees Pursuant to the Equal Access to Justice Act is **GRANTED**, and Plaintiff Stacie Curran is authorized to receive \$6,800.00 for payment to her attorney for services before this Court, as permitted by the Equal Access to Justice Act, 28 U.S.C. § 2412, and in accordance with Manning v. Astrue, 510 F.3d 1246, 1255 (10th Cir. 2007).

IT IS FURTHER ORDERED THAT if, after receiving the Court's EAJA fee order, the Commissioner (1) determines upon effectuation of the Court's EAJA fee order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, 31 U.S.C. § 3716(c)(3)(B) (2006), and (2) agrees to waive the requirements of the Anti-Assignment Act, the fees will be made payable to Plaintiff's attorney. However, if there is a debt owned under the

Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset will be paid by a check made out to Plaintiff but delivered to Plaintiff's attorney.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent

Submitted by:

s/ Francesca J. MacDowell
Francesca J. MacDowell
Attorney for Plaintiff

**Approved by email
on March 18, 2016, by:**

Meghan Frei Berglind
Attorney for Commissioner